

**STATE OF NEW MEXICO
BEFORE THE SECRETARY OF THE ENVIRONMENT**

**IN THE MATTER OF THE APPLICATION
OF C&E CONCRETE INC.
FOR AN AIR QUALITY PERMIT,
NSR PERMIT NO. 9027, GAMERCO HMA**

No. AQB 21-29(P)

FINAL ORDER

This matter comes before the Secretary of Environment following a hearing before the Hearing Officer on September 27, 2021, held via the ZOOM virtual platform in response to the public health orders in place at that time.

C&E Concrete, Inc submitted an air quality permit application to construct a 200 ton per hour hot mix asphalt plant which will be co-located with an existing concrete batch plant at 208 Crystal Avenue, Gamerco, NM 87317, approximately 2.66 miles north of the intersection of I-40 and Highway 491 in McKinley County, NM. C&E Concrete, Inc. owns and operates the facility.

C&E Concrete, Inc. filed the air quality construction permit application for the plant on November 6, 2020, and it was deemed complete on December 4, 2020. The NM Environment Department's Air Quality Bureau ("AQB") has reviewed the application, including emission rates and concluded that operation of the plant will comply with applicable requirements and not cause or contribute to an exceedance of federal and state ambient air quality standards if conducted in accordance with the Department's draft permit conditions.


The New Mexico Environment Department Air Quality Bureau supports the approval of the permit allowing construction and operation of the plant with conditions necessary to protect human health and welfare and the environment.

Having considered the administrative record, including all post-hearing submittals and the Hearing Officer's Report; and being otherwise fully advised regarding this matter;

THE SECRETARY HEREBY ADOPTS THE HEARING OFFICER'S REPORT AND RECOMMENDED FINDINGS OF FACT AND CONCLUSIONS OF LAW.

IT IS THEREFORE ORDERED:

The application for an air quality permit is granted, and the permit shall be issued by the Air Quality Bureau in the form set forth in the Draft Permit, as shown in the Administrative Record.

 Digitally signed by
James Kenney
Date: 2021.11.16
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JAMES C. KENNEY, Secretary of Environment

NOTICE OF RIGHT TO REVIEW

Pursuant to Section 74-2-7.H, NMSA 1978, any person who participated in this permitting action and who is adversely affected by the action may file a petition for hearing by the Environmental Improvement Board, c/o Gregory Chakalian, 1190 St. Francis Drive, Santa Fe, New Mexico 87502. The petition shall be made in writing to the Board within thirty days from the date notice is given of this action.

Certificate of Service

I hereby certify that on November 17, 2021, A copy of the Final Order was sent via electronic mail to the persons listed below. A hard copy will be mailed upon request.

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